

Appl. No. 09/821,942
Amdt. Dated November 23, 2003
Reply to Office action of September 23, 2003
Docket No. 8246
Customer No. 27752

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Case 8246

In the Application of	:	
Midha et al.	:	
Serial No. 09/821,942	:	
Confirmation No. 8169	:	Group Art Unit : 1615
Filed March 30, 2001	:	Examiner : L. S. Channavajjala

For Leave-In Hair Cosmetic Compositions For Enhancing Volume,
Containing Fluid-Encapsulated, Flexible Microspheres

RESPONSE AFTER FINAL UNDER 37 CFR §1.116

Mail Stop Non-Fee Amendment
Honorable Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

This paper is being filed in response to the Office Action mailed September 23, 2003.
Reconsideration is respectfully requested in light of the amendments and remarks contained herein.

The pending claims are reflected in the listing of claims which begins on page 2 of this paper.
Remarks begin on page 5 of this paper.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Case 8246

In the Application of :
Midha et al. :
Serial No. 09/821,942 :
Confirmation No. 8169 : Group Art Unit 1615
Filed March 30, 2001 : Examiner L. S. Channavajjala

For Leave-In Hair Cosmetic Compositions For Enhancing Volume,
Containing Fluid-Encapsulated, Flexible Microspheres

NOTICE OF APPEAL PURSUANT TO 37 C.F.R. 1.191

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated September 23, 2003 where the Examiner finally rejected all Claims 1-18, and 20-22 currently pending in the above application.

Please charge the appeal fee of \$310.00 required by 37 C.F.R. §1.17(c), and other processing fee under 37 C.F.R. §1.17, and any other necessary fees to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company, Patent Division.

Respectfully submitted,

By M. Dressman
Marianne Dressman
Attorney for Applicant
Registration No. 42,498
(513) 626-0673

December 19, 2003
Customer No. 27752

Procter & Gamble – Intellectual Property Division**IMPORTANT CONFIDENTIALITY NOTICE**

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**TO: Mail Stop AF
Assistant Commissioner of Patents
United States Patent and Trademark Office
Attn: L.S. Channavajjala
Fax No. (703) 872-9306
Phone No. (703) 308-2438**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on December 19, 2003, to the above-identified facsimile number.

M. Dressman (Signature)

**FROM: Marianne Dressman
Fax No. (513) 626-1355
Phone No. (513) 626-0673**

Listed below are the item(s) being submitted with this Certificate of Transmission:

- 1) Transmittal for Response + 1 copy;
- 2) Response/Amendment (6 pages);
- 3) Notice of Appeal + 1 copy

Number of Pages Including this Page: 11

Inventor(s): Sanjeev Midha, et al.
S.N.: 09/821,942
Filed: 3/30/01
Conf. No.: 8169
Case: 8246

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT**

Case Docket No. 8246

Certification of Facsimile Transmission
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facsimile transmitted to the Patent and Trademark
Office on December 19, 2003

Marianne Dressman 42,498
M. Dressman
Signature

Box Non-Fee Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a RESPONSE/AMENDMENT for the patent application:

Inventor(s): Sanjeev Midha et al.

Serial No.: 09/821,942

Confirmation No. 8169

Group Art Unit: 1615

Date Filed: March 30, 2001

Title: Leave-in Hair Cosmetic Compositions for Enhancing Volume Containing Fluid-Encapsulated, Flexible Microspheres

1. ☒ No additional claims fee is known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 21	MINUS	** 23	= 0	x \$18 =	\$ --
INDEP.	* 3	MINUS	*** 4	= 0	x \$80 =	\$ --
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$270 =	\$ --
					TOTAL	\$0.00

3. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. ☒ Any patent application processing fees under 37 CFR §1.16.
 - b. ☒ Any patent application processing fees under 37 CFR §1.17.
4. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

M. Dressman
Marianne Dressman
Attorney for Applicants
Registration No. 42,498
Tel. No. (513) 626-0673

December 19, 2003
Customer No. 27752